

Senate Bill No. 1462

Passed the Senate August 28, 1998

Secretary of the Senate

Passed the Assembly August 27, 1998

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1998, at ____ o'clock __M.

Private Secretary of the Governor

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CHAPTER ____

An act to amend, repeal, and add Section 10783 of the Revenue and Taxation Code, and to amend, repeal, and add Sections 5101.5 and 9105 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1462, Mountjoy. Prisoner-of-war license plates.

(1) Existing law exempts a vehicle owned by a disabled veteran and a vehicle owned by a veteran who is a Congressional Medal of Honor recipient from the vehicle license fee requirements where the vehicle is a passenger vehicle, a motorcycle, or a commercial vehicle of less than 6,001 pounds of unladen weight.

This bill would exempt those persons from the payment of those fees for any commercial vehicle of less than 8,001 pounds of unladen weight. In addition, the bill would extend this exemption to the same type of vehicles owned by former American prisoners of war. The bill would make conforming changes with regard to special license plates issued to former American prisoners of war.

(2) Existing law authorizes a person to apply for special prisoner-of-war license plates, as specified, if the person is eligible to apply for vehicle license plates and is a former prisoner of war. Those plates are required to have inscribed on them the letters "POW" and 4 numbers that are $2\frac{3}{4}$ inches in height.

This bill, instead, would require the plates to contain a replica design of the American Prisoner of War Medal followed by the letters "POW" and 4 numbers of the applicant's choice. The bill additionally would require the special license plates to contain the words "Ex-Prisoner of War." The bill would require the department to recall all former prisoner-of-war license plates and to issue to the holders of those plates, without charge, the revised plates.

(3) The bill would provide that its provisions become operative on July 1, 1999.



The people of the State of California do enact as follows:

SECTION 1. Section 10783 of the Revenue and Taxation Code is amended to read:

10783. (a) The license fee imposed by this part does not apply to a passenger vehicle, a motorcycle, or a commercial vehicle of less than 6,001 pounds unladen weight, unless the vehicle is used for transportation for hire, compensation, or profit, if the vehicle is owned by any disabled veteran, as described in Section 22511.9 of the Vehicle Code, or any veteran who is a Congressional Medal of Honor recipient.

(b) The exemption granted by this section shall extend to not more than one vehicle owned by the veteran. The Department of Motor Vehicles may require any disabled veteran applying for an exemption under this section to submit a certificate signed by a physician or surgeon substantiating the disability. The Department of Motor Vehicles may require any person applying for an exemption under this section by reason of receiving the Congressional Medal of Honor to submit satisfactory proof that he or she is a Congressional Medal of Honor recipient.

(c) This section shall remain in effect only until July 1, 1999, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 1999, deletes or extends that date.

SEC. 2. Section 10783 is added to the Revenue and Taxation Code, to read:

10783. (a) The license fee imposed by this part does not apply to a passenger vehicle, a motorcycle, or a commercial vehicle of less than 8,001 pounds unladen weight, unless the vehicle is used for transportation for hire, compensation, or profit, if the vehicle is owned by any disabled veteran, as defined in Section 295.7 of the Vehicle Code, any former American prisoner of war, or any veteran who is a Congressional Medal of Honor recipient.

(b) The exemption granted by subdivision (a) shall extend to not more than one vehicle owned by the

veteran, or former American prisoner of war, and is applicable to the same vehicle as described in subdivision (b) of Section 9105 of the Vehicle Code.

(c) (1) The Department of Motor Vehicles may require any disabled veteran applying for an exemption under this section to submit a certificate signed by a physician or surgeon substantiating the disability.

(2) The Department of Motor Vehicles may require any person applying for an exemption under this section for either of the following reasons to do any of the following:

(A) By reason of the person's status as a former American prisoner of war, to show, by satisfactory proof, his or her former prisoner-of-war status.

(B) By reason of the person's status of receiving the Congressional Medal of Honor, to show, by satisfactory proof, that he or she is a Congressional Medal of Honor recipient.

(d) This section shall become operative on July 1, 1999.

SEC. 3. Section 5101.5 of the Vehicle Code is amended to read:

5101.5. (a) Any person otherwise eligible under this article who is a former prisoner of war may apply for special license plates for the vehicle under this article. The special plates assigned to the vehicle shall run in a separate numerical series and shall have inscribed on the plate the letters "POW" and four numbers that shall be two and three-quarters inches in height. The department shall, pursuant to this article, reserve and issue the license plates provided for by this section only to persons who show by satisfactory proof his or her former prisoner of war status. Any person otherwise issued license plates within this series pursuant to this article prior to January 1, 1982, may retain them.

(b) In addition to the regular fees for an original registration or renewal of registration, the additional fees specified in subdivisions (a) and (d) of Section 5106 and Section 5108, as applicable, shall be paid.

(c) This section shall remain in effect only until July 1, 1999, and as of that date is repealed, unless a later enacted

statute, that is enacted before July 1, 1999, deletes or extends that date.

SEC. 4. Section 5101.5 is added to the Vehicle Code, to read:

5101.5. (a) Any person otherwise eligible under this article who is a former American prisoner of war may apply for special license plates for the vehicle under this article. The special plates assigned to the vehicle shall run in a separate numerical series and contain a replica design of the American Prisoner of War Medal followed by the letters "POW" and four numbers. The special license plates issued under this subdivision also shall contain the following words: "Ex-Prisoner of War." The department shall, pursuant to this article, reserve and issue the license plates provided for by this section only to persons who show by satisfactory proof his or her former prisoner of war status. Any person otherwise issued license plates within this series pursuant to this article prior to January 1, 1982, may retain them.

(b) Special license plates may be issued pursuant to subdivision (a) only for a vehicle owned or coowned by a former American prisoner of war.

(c) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.

(d) Any vehicle exempted from fees by Section 9105 and by Section 10783 of the Revenue and Taxation Code shall lose the exemption upon the death of the former American prisoner of war.

(e) Sections 5106 and 5108 do not apply to this section.

(f) The department shall recall all former prisoner-of-war license plates issued pursuant to this section prior to January 1, 1999, and shall issue to the holder of those plates, without charge, the revised plates authorized by this section.

(g) This section shall become operative on July 1, 1999.

SEC. 5. Section 9105 of the Vehicle Code is amended to read:

9105. (a) The fees specified in this code, except fees for duplicate plates, certificates, or cards, need not be paid for any of the following vehicles, which are of a type subject to registration under this code, and which are not used for transportation for hire, compensation, or profit, when owned by any disabled veteran or any Congressional Medal of Honor recipient:

(1) Any passenger motor vehicle.

(2) Any motorcycle.

(3) Any commercial motor vehicle of less than 6,001 pounds unladen weight.

The exemption granted by this section shall not extend to more than one vehicle owned by any disabled veteran or Congressional Medal of Honor recipient. The department may require any disabled veteran applying for an exemption under this section to submit a certificate signed by a physician or surgeon substantiating the disability. Any person applying for an exemption under this section by reason of receiving the Congressional Medal of Honor shall submit satisfactory proof that he or she is a Congressional Medal of Honor recipient.

(b) This section shall remain in effect only until July 1, 1999, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 1999, deletes or extends that date.

SEC. 6. Section 9105 is added to the Vehicle Code, to read:

9105. (a) The fees specified in this code, except fees for duplicate plates, certificates, or cards, need not be paid for any of the following vehicles, that are of a type subject to registration under this code, and that are not used for transportation for hire, compensation, or profit, when owned by any former American prisoner of war, any disabled veteran, or any Congressional Medal of Honor recipient:

(1) Any passenger motor vehicle.

(2) Any motorcycle.



(3) Any commercial motor vehicle of less than 8,001 pounds unladen weight.

(b) The exemption granted by subdivision (a) shall not extend to more than one vehicle owned by any former American prisoner of war, any disabled veteran, or any Congressional Medal of Honor recipient and is applicable to the same vehicle as described in subdivision (b) of Section 10783 of the Revenue and Taxation Code.

(c) (1) The department may require any disabled veteran applying for an exemption under this section to submit a certificate signed by a physician or surgeon substantiating the disability.

(2) The department may require any person applying for an exemption under this section for either of the following reasons to do any of the following:

(A) By reason of the person's status as a former prisoner of war, to show, by satisfactory proof, his or her former prisoner-of-war status.

(B) By reason of the person's status of receiving the Congressional Medal of Honor, to show, by satisfactory proof, that he or she is a Congressional Medal of Honor recipient.

(d) This section shall become operative on July 1, 1999.

Approved _____, 1998

Governor

